

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 14TH DECEMBER 2007 / 23RD AGRAHAYANA 1929

OP.No. 30863 of 2002(Y)

PETITIONER:

MARIAM GEORGE, 26/512 A,
YACHT CLUB ENCLAVE, KONTHURUTHY,
COCHIN - 18.

BY ADV. SRI.BECHU KURIAN THOMAS
SRI.ROSHIN IPE JOSEPH

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY
SECRETARY, DEPARTMENT OF REVENUE,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.
2. THE DISTRICT COLLECTOR, ERNAKULAM.
3. THE VILLAGE OFFICER, ELAMKULAM,
KADAVANTHARA, KOCHI-20.

BY SHRI.K.P.PRADEEP, GOVERNMENT PLEADER

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD
ON 14/12/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

O.P.NO. 30863/2002

ORDER ON CMP NO.52163/2002 IN O.P.NO. 30863/2002

DISMISSED.

14/12/2007

SD/- (C.N.RAMACHANDRAN NAIR, JUDGE)

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF OCCUPANCY CERTIFICATE DATED 01/04/2002 ISSUED TO THE PETITIONER BY THE CORPORATION OF COCHIN.

// TRUE COPY //

PA TO JUDGE.

jg

C.N.RAMACHANDRAN NAIR, J.

O.P. No. 30863 of 2002

Dated, this the 14th day of December, 2007

J U D G M E N T

Since the issue raised, which is constitutional validity of Section 5A of the Kerala Building Tax Act, is covered by judgment of this Court in **Koshy P.John** Vs. **State of Kerala** reported in 2003 (3) KLT 918, which is confirmed in writ appeal in **Sudhakaran** Vs. **State of Kerala** reported in 2004(2) KLT 706 by this Court, this original petition is dismissed following the above judgment.

(C.N.RAMACHANDRAN NAIR, JUDGE.)